

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LEVI STRAUSS & CO.,

Plaintiff,

v.

TOYO ENTERPRISE CO., LTD., et al.,

Defendants.

No. C 07-0245 PJH

**ORDER ADOPTING REPORT AND
RECOMMENDATION, AND GRANTING
MOTION FOR DEFAULT JUDGMENT**

The court has reviewed Magistrate Judge Maria Elena James' report and recommendation re plaintiff Levi Strauss & Co.'s request for entry of default judgment. Defendants filed no objections to the report. The court finds the report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, the motion for default judgment is GRANTED on each of plaintiff's claims against defendants.

Defendants Samurai Co., Ltd.; Studio D'Artisan International Co., Ltd.; Full Count Co.; and John Bull Co., Ltd., their agents, employees, attorneys, successors, assigns, affiliates, and joint venturers and any person or persons in active concert or participation with any of them, and/or any person or persons acting for, with, by, through or under any of them are permanently enjoined from:

(a) manufacturing, producing, sourcing, importing, selling, offering for sale, distributing, advertising, or promoting any goods that display any words or symbols that so resemble Plaintiff's trademarks as to be likely to cause confusion, mistake or deception, on or in connection with any product that is

1 not authorized by or for Plaintiff, including without limitation any product that
2 bears Defendants' designs or any other similar approximation of Plaintiff's
3 trademarks;

4 (b) using any, word, term, name, symbol, device or combination
5 thereof that causes or is likely to cause confusion, mistake or deception as to
6 the affiliation or association of the Defendants' or their goods with Plaintiff or
7 as to the origin of the Defendants' goods, or any false designation of origin,
8 false or misleading description or representation of fact;


9 (c) further infringing the rights of Plaintiff in and to any of its trademarks
10 in its LEVI'S® brand products or otherwise damaging Plaintiff's goodwill or
11 business reputation;

12 (d) otherwise competing unfairly with Plaintiff in any manner; or

13 (e) continuing to perform in any manner whatsoever any of the other
14 acts complained of in plaintiff's first amended complaint.

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16 **IT IS SO ORDERED.**

17 Dated: October 19, 2009

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21 PHYLLIS J. HAMILTON
22 United States District Judge
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26 cc: Wings, Assigned M/J,
27 counsel of record
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